

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

Concerned Pastors for Social Action, et al.,  
Plaintiffs,

Case No. 16-10277  
Hon. David M. Lawson

v.

Nick A. Khouri, et al.,  
Defendants.

\_\_\_\_\_ /

**AFFIDAVIT OF MICHAEL J. BROWN**

I, Michael J. Brown, being first duly sworn, depose and state as follows:

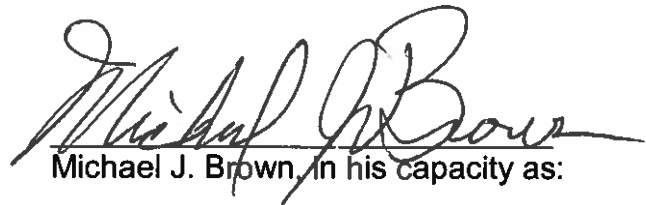
1. I am currently employed by the City of Flint as the Director of the Department of Public Works, a position I have held since March 1, 2021.
2. While employed by the City of Flint I have administered and overseen multiple public works projects undertaken by the City, including those dealing with drinking water (service lines, water mains, a main pipeline allowing access to a secondary water source for all City residents, etc.), wastewater treatment (upgrades to treatment facilities, pumping stations, etc.) and roads.
3. Prior to being named as the Director of the Department of Public Works for the City of Flint, I was employed in a variety of roles in public works operations and administration, including with Oakland County and the City of Saginaw.
4. I hold, or have held, licenses from the State of Michigan in Wastewater A, B, C, D and Water S1, D2 and F3.
5. I have been involved in the aforementioned public works projects and related administration activities for over 25 years.
6. I am aware that Plaintiffs in this matter have filed a Fifth Motion to Enforce Settlement Agreement (the "Fifth Motion to Enforce").

7. While I am not familiar with all aspects of the Fifth Motion to Enforce or the proposed order filed with it, I am aware that Plaintiffs are asking the Court to require the City of Flint to provide notice to addresses within the City of Flint where water service line restoration work has previously occurred, but there is no contemporaneous record of restoration in the City of Flint's tracking database. It is my understanding that that notice is in the form of a "doorhanger", or correspondence mailed to the address.
8. It is also my understanding that this notice would also be required to include a City of Flint phone number and email address that the resident may use to contact the City if the resident has questions or concerns about the City's determination that the address has been restored pursuant to the requirements of the Settlement Agreement in this matter and all subsequent orders enforcing that Settlement Agreement.
9. The imposition of this requirement would impose an undue and heavy burden on the City.
10. First, certain data gaps concerning restoration activities exist in the City's record-keeping database, which are largely the result of decisions made from 2017 to 2019 regarding restoration activities, the exact status of restoration progress of previously excavated addresses is uncertain. Thus, the extent of the issue is unknown at this stage.
11. Second, the expense of printing door hangers and personally delivering them to potentially thousands of addresses in the City would require an unknown number of additional employees of the City, the City's project manager or its contractor (or, if by mail, printing and postage costs).

12. Third, while I understand it to be not technically required by the proposed order drafted by Plaintiffs, the City would still be compelled to follow-up on all telephone calls and emails from residents regarding their questions or concerns as to restoration status. The City is highly proactive in responding to residents' concerns and cannot simply ignore their calls and emails (which may potentially number into the thousands).

13. Taken together, and given my prior experience with this matter and other large-scale public works projects, these proposed requirements have the potential to be a tremendous financial and time burden upon the City.

14. I am personally familiar with these facts and statements.



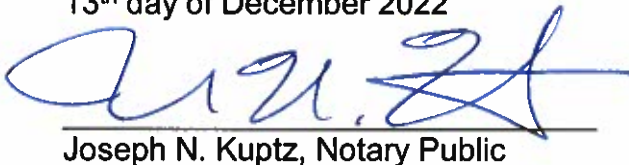
Michael J. Brown, in his capacity as:

Director, Department of Public Works for  
the City of Flint, Michigan

Date: December 13, 2022

Subscribed and Sworn before me this:

13<sup>th</sup> day of December 2022



Joseph N. Kuptz, Notary Public

Genesee County, Michigan (Acting in Genesee County)

My commission expires: November 6, 2026